

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI

DEBBIE McCOY,

Plaintiff,

vs.

WAL-MART STORES EAST, LP, et al.,

Defendants.

Case No. 6:18-CV-03256-BP

AMENDED NOTICE OF DEPOSITION PURSUANT TO 30(B)(6)
DUCES TECUM

PLEASE TAKE NOTICE that, under Federal Rule of Civil Procedure 30(b)(6), Plaintiffs will take the deposition of the Walmart defendants as an organization. Deponent must designate one or more officers, directors, managing agents, or other persons who will testify on your behalf regarding the matters listed in Schedule A which are known or reasonably available to deponent. Pursuant to Rule 30(b)(2), deponent shall produce for inspection and copying those documents and tangible things set forth in Schedule B.

This deposition will be recorded stenographically and may also be videotaped. Deponent shall identify the persons who will speak on its behalf on each topic below at least seven days before the deposition(s). Take further notice, your designee as to each of the topics in this notice must be prepared with all information reasonably available to the company on the topics specified in the deposition notice and said designee shall review all matters known or reasonably available to the company in preparation for the deposition. The taking of this deposition may be adjourned from day to day until completed and may occur over several days if more than one person is necessary to provide the information requested.

DATE OF DEPOSITION: April 23, 2019 at 10:00 A.M.

LOCATION OF DEPOSITION: Hatfield Harris PLLC; 5208 Village Parkway,
Suite 9; Rogers, AR 72758.

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By /s/ Craig R. Heidemann

Craig R. Heidemann
Missouri Bar No. 42778
Attorney for Plaintiff

SCHEDULE A

1. The number of consumer complaints by state (including date, customer identification, customer location, nature of complaint, and gift card amount) pertaining to: Gift card fraud; Loss of gift card balances; Cancellation by Walmart of gift cards with active balances.
2. Identity and physical location of any vendor(s) that print or create gift cards for Walmart during last 6 years.
3. Method by which gift cards are shipped from manufacturers to retail points of sale.
4. The meaning/significance of all categories of numerical digits printed on back of gift cards (what does each number group signify or what is it utilized for).
5. Investigations by state attorneys general or state consumer agencies related to Walmart gift card fraud.
6. The physical location, name and type of computer software and hardware containing the gift card numbers and pins during the last 6 years.
7. How the Walmart gift cards program/product is administered and whether it has changed over last 6 years.
8. The amount of Walmart gift cards sold annually during last 6 years by state.
9. The amount of Walmart gift cards sold annually during last 6 years by store in Missouri.
10. Details regarding Missouri consumer complaints of gift card fraud/gift card balance loss by store.
11. Any investigations by you into any instances of alleged gift card fraud involving unauthorized third parties depleting gift card balances.
12. Any actions by state attorney's general concerning: Gift card fraud; Loss of gift card balances; Cancellation by Walmart of gift card's with active balances.
13. Any complaints with any consumer protection agencies including but not limited to the Better Business Bureau (BBB) concerning: Gift card fraud; Loss of gift card balances; Cancellation by Walmart of gift card's with active balances.
14. The amount of gross revenue generated by gift card sales in Missouri.
15. The amount of gross revenue generated by gift card sales by state.
16. The location of all property owned by each defendant in Missouri.
17. Any contract, either oral, written, or under the UCC, entered into in Missouri pertaining to gift cards.
18. The number of stores each Defendant operates in Missouri.
19. The number of employees each Defendant employs in Missouri.
20. Internal communications concerning: Gift card fraud in Missouri; Loss of gift card balances in Missouri; Cancellation by Walmart of gift card's with active balances in Missouri.
21. Any lawsuit in which Defendants were named as parties where there was an allegation of: Gift card fraud in Missouri; Loss of gift card balances in Missouri; Cancellation by Walmart of gift card's with active balances in Missouri.

22. Anything which Walmart contends constitutes terms of service, terms of contract, restrictions, limitations on gift cards in Missouri.
23. For each instance where a Missouri consumer alleged Gift card fraud, unexplained loss of gift card balances or cancellation by Walmart of gift card's with active balances, whether or not Walmart refunded or replaced the gift card balances in question and the reason why Walmart refunded/replaced or refused to refund/replace.
24. All instances in last 6 years where you refunded/replaced a gift card in Missouri or replenished its balance due to alleged gift card fraud.
25. All instances in last 6 years where you cancelled a gift card in Missouri with an active balance due to suspected gift card fraud.
26. How you track gift card sales in Missouri, redemption, contingent liabilities, refund, replacement, or cancellation.
27. The identity of the most knowledgeable person concerning Walmart gift cards.
28. The identity of the most knowledgeable person concerning Walmart's understanding of how third parties are able to utilize a Missouri customer's gift card balances without their permission.
29. Your business relationship with the co-defendants.
30. Your organizational chart.
31. Your company phone directory.

SCHEDULE B

1. Produce all documents which comprise, embody, denote, consist of, or relate to the items set forth above. If you claim a privilege, produce a privilege log.